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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,170	06/09/2006	Chung-Dam Song	240-37	5274

24336 7590 05/13/2009

KEUSEY, TUTUNJIAN & BIFETTO, P.C.

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SUITE 210

WOODBURY, NY 11797

EXAMINER

FAULK, DEVONAE

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

05/13/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/550,170

Applicant(s)

SONG ET AL.

Examiner

DEVONA E. FAULK

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1.6 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1.6 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/20/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, filed ***, with respect to the rejection(s) of claim(s) 1,6,10 under 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of 112 1st.
2. Claims 2-4,7,8,11-14,15-20 are withdrawn from consideration.
3. Claims 5 and 9 are cancelled.
4. The applicant requested evidence for supporting an assertion that resistors are commonly used for blocking noise or some reasoning supporting the conclusions that resistors usefulness in blocking electromagnetic waves generally can extend to blocking noise specifically. The examiner was unable to find sufficient evidence for this assertion. However, based on the applicant's arguments, the examiner has determined that a lack of enablement rejection is warranted. If resistors are not commonly used to blocking noise, then the applicant needs to provide enablement as to how the resistors in his invention are capable of blocking noise.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1,6 and 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 1 recites “

1. (Currently amended) A condenser microphone employing a wide band stop filter for wideband signals of low frequency and radio frequency, the condenser microphone having improved resistance to electrostatic discharge applied from outside and preventing radio frequency interference to decrease noise, the condenser microphone comprising: an acoustic module for converting sound pressure into an electric signal; an amplification means for amplifying the electric signal input from the acoustic module; a noise-blocking resistor between the acoustic module and input port of the amplification means so as to block electromagnetic noise from being inputted; and an EM-noise-filtering/ESD-blocking section for blocking a wideband signal having low frequency and radio frequency output from the amplification means, blocking introduced electromagnetic waves, radio wave noise, and electrostatic discharge, the EM-noise-filtering/ESD-blocking section comprising: a first capacitor connected in parallel between an output port of the amplification means and ground port to function as a filter; a second capacitor connected parallel to the first capacitor to perform an EM- noise-filtering, and ESD-blocking function; and a first resistor connected serially between an output port of the first capacitor and an

output port of the second capacitor to perform a decoupling function, so that the EM-noise-filtering./ESD-blocking section has a shape of a character 'I-I'.

The applicant's arguments suggest that resistors are not commonly used for blocking noise and that there is lack of some reasoning supporting the conclusions that resistors usefulness in blocking electromagnetic waves generally can extend to blocking noise specifically. Based on the applicant's arguments, the examiner has determined that a lack of enablement rejection is warranted. If resistors are not commonly used to blocking noise, then the applicant needs to provide enablement as to how the resistors in his invention are capable of blocking noise?.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEVONA E. FAULK whose telephone number is (571)272-7515. The examiner can normally be reached on 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devona E. Faulk/
Examiner, Art Unit 2614